

### III. REMARKS

1. Applicant appreciates the Examiner's indication of the allowance of claim 33, and allowable subject matter in claim 35.

2. Claims 1-5, 7-13, 15, 17-32 and 34 are not unpatentable over Byrne in view of Huang et al. ("Huang") under 35 U.S.C. §103(a).

Claim 1 recites that the intersystem handover is initiated by a transmission from the mobile terminal to the communication network. The transmission comprises information indicating that an intersystem handover from the radio access network of the first type to the radio access network of the second type should be performed. The information is based on one of a requested content, a requested access point number, a requested uniform resource locator and a requested internet protocol (IP) address. This is not disclosed or suggested by the combination of Byrne and Huang. Byrne only discloses an explicit initiation of a handover by a mobile terminal. (Col. 3, lines 30 -40). In Byrne, the mobile terminal registers with the preferred system.

In Byrne, a GSM/DCET combined system is shown in FIG. 3 (Col. 7, lines 30/31). A CCT (Cellular Cordless Telephone) 200 operating as a GSM/DECT CCT 200 in either GSM/DECT environment may register with whichever system fulfils the criteria for operating the CCT 200 in a particular system. Intersystem knowledge of the location of CCT 200 will facilitate handover during calls. For example, if a CCT 200 having a call in progress on a non-preferred system enters the service area of a preferred system, then the CCT 200 can register with the preferred system, and flag to the system MSC or network control center that it is a preferred system. Then, the preferred system MSC or network control center can communicate with the non-preferred system's

MSC or network control center and instruct it to handover the call to the preferred system. (Col. 7, line 61 to col. 8, line 14).

Byrne, in Col. 6, lines 45-60, only describes a combined GSM/DECT CCT operable in an environment in which both GSM and DECT are individually or simultaneously available. Nothing here states that the intersystem handover is initiated by a transmission of the mobile terminal to the communication network as claimed by Applicant.

Col. 7, lines 50-60 of Byrne discloses the "direct link" 530 between the CCFP 505 and MSC 1350. Byrne states that the "bandwidth" is capable of transmitting the necessary control signals between the MSC138 and CCFP 505. This does not disclose or suggest what is claimed by Applicant, which is that the transmission comprises information indicating that an "intersystem handover" from the radio access network of the first type to the radio access network of the second type should be performed.

It is also noted that reference 401 in Byrne relates to a "codec", and not to a "mobile terminal" as is suggested by the Examiner on page 2.

Huang does not overcome the deficiencies of Byrne.

Huang relates to maintaining virtual load area networks with mobile terminals in an ATM network. (Abstract). While Huang may in general disclose the transmission of an IP address, in Huang, this transmission does not cause any handover of the mobile terminal, as is claimed by Applicant. This transmission also does not cause any intersystem handover or an intrasystem handover.

In Huang, with reference to FIG. 1, a system is described, in which an LES enables an inter-VLAN communication. In particular, when a node on a first VLAN, e.g. node MT1, desires to communicate with a node on a different VLAN, e.g., node s4, the node MT1 transmits an address resolution protocol request packet containing the IP address to the destination node s4 to LES1. (col. 3, lines 28-55).

With reference to FIG. 2, it is described that a node MT3 in the proximity of, and which is provided packet communication by, the node BS2, may move out of proximity with BS2 and into proximity with BS1. When this occurs, the nodes MT3, BS2 and BS1 execute a handoff procedure whereby the node MT3 first transmits a handoff message to the node BS2. (Col. 4, lines 12-29).

Col. 3, lines 35-40 does not disclose or suggest that an "intersystem" handover is initiated by the transmission of information indicating that an intersystem transmission handover from the radio access network of the first type to the radio access network of the second type, should be performed.

The combination of Byrne with Huang is deficient in that it does not disclose or suggest that information transmitted by a mobile terminal that is not directly related to the initiation of a handover is used for initiating a handover. Huang actually discloses an intra-system handover that is performed by means of an explicit handoff message. Node MT3 first transmits a "handoff" message to the node BS2. (Col. 4, lines 12-29).

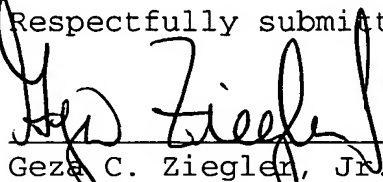
Thus, the combination of Byrne with Huang does not disclose or suggest each feature of Applicant's invention as claimed. Since neither Byrne nor Huang disclose or suggest initiating a handover upon transmission of information that is based on an IP address,

one of skill in the art would not be motivated to do so. Thus, claims 1, 22, 26, 32 and 34 should be allowable. Claims 2-5, 7-15, 17-21, 23-25, 27-31 and 35 should be allowable at least by reason of their respective dependencies.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of \$50 is enclosed for an additional claim fee. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
\_\_\_\_\_  
Geza C. Ziegler, Jr.  
Reg. No. 44,004

9 Nov 2005  
\_\_\_\_\_  
Date

Perman & Green, LLP  
425 Post Road  
Fairfield, CT 06824  
(203) 259-1800 Ext. 134  
Customer No.: 2512